

COMMENTS

Please confirm that the claim for priority on Page 1, lines 6-15 submitted with the previous Request for Continued Examination (shown below) has been entered in the Application.

This application is a Continuation Application from U.S. Patent Application Serial No. 09/553,075, filed April 20, 2000, now abandoned; which in turn is a Continuation-in-Part Application of U.S. Patent Application Serial No. 08/866,516, filed May 30, 1997, now abandoned; which is a Continuation-in-Part of U.S. Patent Application Serial No. 08/567,001, filed December 14, 1995, now abandoned; which is a Continuation-in-Part of U.S. Patent Application Serial No. 08/041,850, filed April 2, 1993, now U.S. Patent No. 5,472,194; and U.S. Patent Application Serial No. 08/866,516, filed May 30, 1997, now abandoned is also a Continuation-in-Part of U.S. Patent Application Serial No. 08/388,292, filed February 14, 1995, now U.S. Patent No. 5,544,892; which is a Continuation-in-Part of U.S. Patent Application Serial No. 08/043,413, filed April 6, 1993, now U.S. Patent No. 5,417,430; which is a Continuation-in-Part of U.S. Patent Application Serial No. 08/023,196, now U.S. Patent No. 5,288,081.

This Amendment defines the proper claim for priority in this Application. A Petition to allow this claim under 37 C.F.R. 1.78(a)(3) has previously been filed, and that Petition contained:

- (1) The claim for priority under 35 USC 120;
- (2) A letter of authorization to debit Deposit Account No. 501391 for all fees and costs associated with this petition, response, and communication, including especially and specifically the surcharge set forth in 37 C.F.R. 1.17(t);

(3) A statement that the entire delay between the date the claim was due under paragraph (a)(3) of 37 C.F.R. §1.78 and the date that the claim was filed was unintentional.

That Pwtition was therefore believed to be sufficient to establish the claimed priority for the earlier filed, commonly assigned applications, with at least one common inventor from the present application in the chain of applications.

SUMMARY OF THE OFFICE ACTION

1. Claim 1 is rejected under 35 USC 102(b) as anticipated by Order (PCT DE99/02666; US Patent No. 6,609,710) No citation was given for this reference, but a PCT search has found

Publication Number:	WO/2000/015313	International Application No.:	PCT/DE1999/00266
Publication Date:	23.03.2000	International Filing Date:	6 25.08.1999
Chapter 2 Demand Filed:	03.04.2000		

Int. Class.: **A63F 9/04** (2006.01), **G06K 9/20** (2006.01)

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which has an issued US counterpart Patent 6,609,710.

2. Claims 2-7 are rejected under 35 USC 103(a) as unpatentable over Order (as above) and further in view of Brown (US Patent No. 5,909,876)

3. Claims 8 and 9 are rejected under 35 USC 103(a) as unpatentable over Order (as above) and further in view of Brown (US Patent No. 5,909,876) and Paulsen (US Patent No. 5,393,067)

4. Claims 17-21 have been rejected under 35 USC 103(a) as unpatentable over Order (as above) in view of Kim et al. (US Patent No. 6,446,864) and Jones et al. (US Patent No. 4,861,041)

RESPONSE TO THE OFFICE ACTION

1. Claim 1 is rejected under 35 USC 102(b) as anticipated by Order (PCT

DE99/02666; US Patent No. 6,609,710)

CLAIM 1	ORDER DISCLOSURE	COMMENTS
A gaming apparatus, comprising: (a) a gaming table with a gaming surface	A gaming apparatus for professional execution of table games using playing dice and chips, said gaming apparatus comprising: a gaming table with a game cloth and sections, lines, areas or zones, predefined on the game cloth,	
having at least one predetermined location for receiving a gaming token;	: a gaming table with a game cloth and sections, lines, areas or zones, predefined on the game cloth,	
(b) a gaming token supporter mounted at each of the at least one predetermined location for receiving a gaming token on the gaming surface of the gaming table	"...gaming apparatus comprising a gaming table with a game cloth and sections, lines, areas or zones, predefined on the game cloth, for placement of chips for table games,..."	These areas are on the gaming table and physically support chips.
such that the gaming token supporter is flush with the gaming surface and forms a gaming token receiving location;		The table is flat and the designated areas for placing chips is flat.
and (c) a photoelectric sensor for each gaming token supporter,	wherein said means for detecting analysing, displaying and storing includes detectors arranged under the game cloth of the gaming table for detecting which of said sections, said lines, said areas or said zones said chips occupy, means for automatically detecting locations at which stakes in the form of the chips are placed and thus the type of bets placed,	In the present invention, to automatically detect whether chips or piles of chips have been deposited or not on a surface or zone or line defined by the layout of the playing area of the Craps table, it is thus possible to use detectors which are arranged under the game cloth and which respond to changed pressure conditions or changed light conditions upon the setting down or removal of the chips. Preferably, light-

		sensitive sensors, in particular photo-diodes sensitive to IR-light, are used under such a game cloth which is partially light-transparent. The darkening of the photo-diodes caused by the deposited chip then triggers a signal which is fed to an automatically recording computer unit. The active yes-no circuit only indicates whether a chip is placed on the gaming table or not; accordingly these detectors are known as occupation detectors.
each photoelectric sensor providing modulated light emissions and sensing modulated light,	Preferably, light-sensitive sensors, in particular photo-diodes sensitive to IR-light, are used under such a game cloth which is partially light-transparent. The darkening of the photo-diodes caused by the deposited chip then triggers a signal which is fed to an automatically recording computer unit. The active yes-no circuit only indicates whether a chip is placed on the gaming table or not; accordingly these detectors are known as occupation detectors.	The rejection asserts that Order's sensors inherently provide modulated light, citing page 17, lines 20-24.
and each photoelectric sensor being mounted to the gaming structure such that each sensor is aligned with and in sensing proximity to a gaming token supporter.	it is thus possible to use detectors which are arranged under the game cloth and which respond to changed pressure conditions or changed light conditions upon the setting down or removal of the chips.	

Although Applicants do not concede the assumptions in this rejection, Applicants point out that Order is not available as a reference under 35 USC 102(b) or any other provision of 35 USC 102 as the reference is not "prior" in terms of that statute.

One of the Applications in the priority chain, and that single application is sufficient in time to antedate Order, is US Serial No. 08/866,516, filed March 30, 1997, a copy of which application as originally filed being attached hereto, contains antecedent basis for claim 1 so that priority of invention of the subject matter of claim 1, back to at least 30 March 1997, has been established. That priority antedates the available reference date of the Order reference. The rejection is therefore in error as a matter of law and fact.

ANTECEDENT BASIS FOR CLAIM 1 OF THE PRESENT APPLICATION

FROM USSN 08/866,516 FILED 30 MARCH 2006

CLAIM 1	08/866,516" DISCLOSURE
A gaming apparatus, comprising: (a) a gaming table with a gaming surface	As shown in Fig. 1, a playing table 10 has seven player positions 18a-g. Page 25
having at least one predetermined location for receiving a gaming token;	A suitable wagering area or apparatus for receiving or indicating a wager and entry fee...is represented at area 23a-g. Page 25
(b) a gaming token supporter mounted at each of the at least one predetermined location for receiving a gaming token on the gaming surface of the gaming table	Each sensor device...is located under each of the wagering areas 23a-g. Pages 27-28. "The sensor device 118 comprises a housing 136, a cover plate or gaming token supporter 138..." Page 32
such that the gaming token supporter is flush with the gaming surface and forms a gaming token receiving location;	"...a sensor device 118 is mounted below a wagering area 23a-g and is mounted adjacent the bottom of the table surface 16." Page 32 "...the gaming token supporter 138 is flush mounted..." Page 39
and (c) a photoelectric sensor for each gaming token supporter,	In the preferred embodiment, an Omron photoelectric sensor having model number EE-SPZ401A is used. Page 34.
each photoelectric sensor providing modulated light emissions and sensing modulated light,	The attached data sheet for the Omron EE-SPZ401A photosensor clearly identifies it as modulated light.
and each photoelectric sensor being mounted to the gaming structure such that each sensor is aligned with and in sensing proximity to a gaming token supporter.	"...the sensing apparatus will be located below each one of the wagering areas 23a-g and located adjacent to the bottom of the table surface 16, such that the sensor device 118 is aligned with a wagering area 23a-g." Page 36.

As can be readily seen, the original specification as filed in the USSN 08/866,516 application having a filing date of 30 March 1997 provides antecedent basis for the

limitations in the claims and therefore antedates the available reference date of the Order PCT filing in 1999.

As the Order reference is not available under 35 USC 102(b) or any other provision in view of the clear antecedent basis under 35 USC 120 identified above going back to at least 30 March 1997, the rejection is in error and must be withdrawn.

2. Claims 2-7 are rejected under 35 USC 103(a) as unpatentable over Order (as above) and further in view of Brown (US Patent No. 5,909,876)

As the Order reference is not available under 35 USC 102(b) or any other provision in view of the clear antecedent basis under 35 USC 120 identified above going back to at least 30 March 1997, the rejection is in error and must be withdrawn.

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As the Order reference is not available under 35 USC 102(b) or any other provision in view of the clear antecedent basis under 35 USC 120 identified above going back to at least 30 March 1997, the rejection is in error and must be withdrawn.

4. Claims 17-21 have been rejected under 35 USC 103(a) as unpatentable over Order (as above) in view of Kim et al. (US Patent No. 6,446,864) and Jones et al. (US Patent No. 4,861,041)

As the Order reference is not available under 35 USC 102(b) or any other provision in view of the clear antecedent basis under 35 USC 120 identified above going back to at least 30 March 1997, the rejection is in error and must be withdrawn.

REMARKS

This Amendment should be entered as the rejection of record removed and all claims allowed.

If there is any need to extend the time to respond, Authorization is hereby given to charge Deposit Account Number 50-1391 if such additional extension is necessary.

Respectfully submitted,

JOHN BREEDING

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Date: 6 NOVEMBER 2006

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